

THE UNITED STATES AS A FACTOR IN WORLD POLITICS.

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(Read April 24, 1914.)

There is probably no characteristic of American political life that has made a deeper impression on foreign students of our institutions than the fact that while all matters of domestic policy are subjected to the most searching analysis, questions of foreign policy do not in normal times become the topic of public discussion. It is not until our international relations have reached a critical stage that real public interest is aroused. In most cases, however, before public opinion has become crystallized, the national executive has committed the country to a certain line of action. Thereafter the country's policy is determined by the logic of events rather than by the dictates of public opinion.

In comparing the French, German and British magazines and newspapers with those of the United States, one is impressed with the fact that while the European journals are constantly discussing questions of foreign policy, little or no attention is given to this subject in our American journals until some problem has reached so critical a stage that it imperils the peace and safety of the country. The causes of this contrast are to be found not in the more serious character of foreign journals, but in the fact that the American people have been accustomed to confine their thinking on public affairs to questions of domestic policy.

Under our system of government this attitude involves a real danger because it removes our foreign relations from the control of public opinion, and makes them dependent upon the personal views of the President of the United States, subject to such influences as may, for the time being, be dominant in Washington. When public opinion does assert itself, such assertion usually comes as the result of a wave of popular feeling, obeying an emotional impulse. The

root of the difficulty is that the national thought of the people of the United States has failed to keep pace with the changes in the international position of the country. The early policy of our country, as well as our national thinking during the infancy of the republic, was concentrated on the idea of national isolation—freedom from entangling alliances with European countries, and the separation of American from European interests. National thought has remained in this stage of development whereas national power and national influence have long advanced beyond these narrow confines. We have attained the dignity of a world power, but our national thought has not advanced to a consciousness of the responsibilities which this position involves. The great problem now confronting the country is to bring about closer harmony between these two factors.

We are at the present moment witnessing one of the most serious consequences of this lack of adjustment which is affecting the international position and influence of the United States to a degree which cannot help but arouse the grave concern of every thoughtful and patriotic citizen. In a brief period of fifteen years we seem to have sacrificed the position of leadership in the maintenance of world peace, and have become one of the disturbing factors in international affairs. How is it, it will be asked, that a nation which through the contributions of more than a century has gained an enviable position as a leader in the great movement for the advancement of international goodwill, should within so short a space of time sacrifice this enviable position and come to be looked upon by all nations of western civilization as an uncertain factor in the orderly development of international relations.

Every student of international law and of world politics has been deeply impressed by the important part played by the United States in placing the conduct of international relations on a distinctly higher plane. It seems, at first glance, extraordinary that during the first half century of its existence a nation so weak and in many respects so unorganized should have been able to exert so important an influence on international law. When, however, we stop to reflect that during the first decades of the nineteenth century the United States held the balance of power amongst the nations of western civilization, the apparent paradox is readily explained.

The farseeing statesmanship of the founders of the republic led to the adoption, as a cardinal principle of American foreign policy, that the United States must be kept free not merely from entangling European alliances, but from any participation in the conflicts then raging in Europe. This principle of aloofness from European entanglements led to the assertion of those principles of American neutrality which, while serving primarily the interests of our national integrity, accomplished the still larger purpose of laying the foundations for the modern law of neutrality. In performing this service the United States contributed toward eliminating some of the most fruitful causes of international irritation, thereby promoting the interests of world peace.

It has been the laudable ambition of successive secretaries of state to continue and to strengthen those traditions which gave to the country a position of such unique power amongst the nations of both eastern and western civilization. In spite of these efforts, however, there is noticeable during recent years a distinct falling off in our international prestige. Little by little, the confidence of the peoples of Europe and of the American Continent has been undermined until to-day we find ourselves in a situation which possesses none of the elements of that splendid isolation which so long characterized the position of Great Britain and which, if not remedied, is likely to deprive us of the possibility of carrying to a successful conclusion a mission which constitutes the chief glory of American foreign policy during the first century of our national existence. It is, therefore, a matter of real national moment to inquire into the causes which have brought about this change, and to seek a remedy if such exists.

Of the elements contributing to the present situation, some are of long standing, the cumulative effects of which are now being felt, while others are of comparatively recent development. Amidst the splendid record of achievement during the first century of our national existence there looms up one aspect of our policy which has been a cause of deep concern to successive presidents and to successive secretaries of state. I refer to the inadequacy of our national legislation for the protection of resident aliens. A long

series of massacres, beginning with the Chinese massacre at Rock Springs, Wyoming, in 1895 and ending with the lynching of Italians in 1899, 1901 and 1910, have placed our national government in the humiliating position of acknowledging to foreign powers that although the sole responsibility for the conduct of our foreign relations rests with the federal authorities, they lack the power to fulfill the most fundamental of international obligations—the duty to bring to justice the persons responsible for such crimes. The matter was referred to as early as 1899 by President McKinley, who, in his annual message of December 5th, said:

“For the fourth time in the present decade a question has arisen with the government of Italy in regard to the lynching of Italian subjects. The latest of these deplorable events occurred at Tallulah, Louisiana, whereby five unfortunates of Italian origin were taken from jail and hanged. . . . The recurrence of these distressing manifestations of blind mob fury directed at dependents or natives of a foreign country suggests that the contingency has arisen for action by Congress in the direction of conferring upon the Federal courts jurisdiction in this class of international cases where the ultimate responsibility of the Federal Government may be involved.”

The matter was again vigorously taken up by President Roosevelt in his message of December, 1906, in which he said in referring to the difficulties that had arisen because of educational discrimination against the Japanese in California:

“One of the great embarrassments attending the performance of our international obligations is the fact that the statutes of the United States are entirely inadequate. They fail to give to the national government sufficiently ample power, through United States courts, and by the use of the army and navy, to protect aliens in the rights secured to them under solemn treaties which are the law of the land. I, therefore, earnestly recommend, that the criminal and civil statutes of the United States be so amended and added to as to enable the president, acting for the United States government, which is responsible in our international relations, to enforce the rights of aliens under treaties. There should be no particle of doubt as to the power of the national government completely to perform and enforce its own obligations to other nations. The mob of a single city may at any time perform acts of lawless violence against some class of foreigners which would plunge us into a war. That city by itself would be powerless to make defense against the foreign power thus assaulted, and if independent of this government it would never venture to perform or permit the performance of the acts complained of. The entire power and the whole duty to protect the offending city or the offending community lie in the hands of the United States government. It is unthinkable that we should continue a policy under which a given locality may be

allowed to commit a crime against a friendly nation, and the United States government limited, not to preventing the commission of the crime, but, in the last resort, to defending the people who have committed it against the consequences of their own wrong doing."

In 1909, in his inaugural address, President Taft emphasized this serious defect in the conduct of our foreign relations, in the following words:

"By proper legislation we may, and ought to place in the hands of the federal executive the means of enforcing the treaty rights of such aliens in the courts of the federal government. It puts our government in a pusillanimous position to make definite engagements to protect aliens, and then to excuse the failure to perform those engagements by an explanation that the duty to keep them is in states or cities, not within our control. If we would promise we must put ourselves in a position to perform our promise. We cannot permit the possible failure of justice, due to local prejudice in any state or municipal government, to expose us to the risk of a war, which might be avoided if federal jurisdiction was asserted by suitable legislation by Congress and carried out by proper proceedings instituted by the executive in the courts of the national government."

It is clear that no nation can shirk the responsibilities of its international obligations without arousing widespread opposition. The constitutional authority granted to our federal government is sufficiently comprehensive to include all powers necessary to meet our international obligations. We cannot permit our states, which occupy no international status, to plunge us into irritating controversies with foreign countries. The dignity of the national government and the demands of national self-respect require that the federal executive be given statutory powers sufficiently broad and that the federal judiciary be given jurisdictional authority sufficiently comprehensive to enable the national government to do its full duty in the protection of the person and property of aliens resident within our borders. The first step in this direction is the enactment of a law giving to the federal courts jurisdiction over all cases in which the treaty rights of a citizen or subject of a foreign country are involved. A bill to this effect has been before the Congress of the United States on several different occasions. Its precise text is as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, that any act committed in any state or territory of the United States in violation of the rights of a citizen

or subject of a foreign country secured to such citizen or subject by treaty between the United States and such foreign country, which act constitutes a crime under the laws of such state or territory, shall constitute a like crime against the peace and dignity of the United States, punishable in like manner as in the courts of said state or territory, and within the period limited by the laws of such state or territory, and may be prosecuted in the courts of the United States, and upon conviction, the sentence executed in like manner as sentences upon convictions for crimes under the laws of the United States."

That the federal government has ample power to enact such legislation has been repeatedly affirmed by the Supreme Court of the United States. In *Baldwin vs. Frank* (120 U. S. 678) one of the leading cases on the subject, the question involved was whether the Civil Rights Acts were applicable to a conspiracy to deprive Chinese subjects, residing within a state, of rights secured to them by treaty. In the course of its opinion the court said:

"The precise question we have to determine is not whether Congress has the constitutional authority to provide for the punishment of such an offense as that with which Baldwin is charged, but whether it has so done.

"That the treaty-making power has been surrendered by the states and given to the United States is unquestionable. It is true also that the treaties made by the United States and in force are part of the supreme law of the land, and that they are as binding within the territorial limits of the states as they are elsewhere throughout the dominion of the United States.

"That the United States have power under the Constitution to provide for the punishment of those who are guilty of depriving Chinese subjects of any of the rights, privileges, immunities or exemptions guaranteed to them by this Treaty, we do not doubt. What we have to decide, under the questions certified here from the court below, is whether this has been done by the sections of the Revised Statutes specially referred to."

Again, in the *Debs* case (158 U. S. 564) the Court held:

"The entire strength of the nation may be used to enforce in any part of the land the full and free exercise of all national powers and the security of all rights entrusted by the Constitution to its care. . . . If the emergency arises, the army of the nation, and all its militia, are at the service of the nation to compel obedience to its laws."

All this tends to prove not only that we have been remiss in the performance of our international obligations, but that such remissness has not been due to any defect in our national Constitution but to the failure of Congress to extend the jurisdiction of the federal courts and to grant specific authority to the federal executive to

fulfill manifest international obligations. Indeed, it would seem from the decision in the Debs case that even without specific statutory authority, the national executive may do far more than has hitherto been done in maintaining the supremacy of the federal treaty making power.

The failure of Congress to make adequate provision for the protection of resident aliens has aroused resentment not only in the states whose *nationals* have suffered most severely, but has seriously injured our reputation for fair dealing throughout the civilized world. The remedy for this situation is so simple that there is no excuse for further delay in making it effective.

A second influence which has played an important part in estranging the goodwill of foreign countries is the widespread belief that there exists in the Congress of the United States a tendency to force upon the executive a narrow and technical interpretation of treaties. Secretary Hay once said of certain senators who attempted to defeat every treaty presented to the Senate, that their idea of a treaty was a document which gained everything for the United States and gave nothing to the other party. The ruthless way in which the Congress of the United States has at times swept aside treaty obligations, and the unwillingness to bring national legislative policy into harmony with our international obligations, have created the impression that the promises of the United States cannot be depended upon, and that even the best intentions of the President and his advisers are apt to be thwarted by the action of Congress.

The culminating point of a series of instances was reached in the provision of the Panama Canal Act exempting American coastwise shipping from the payment of canal tolls. Whatever may be our opinion as to the desirability of the exemption clause viewed as a question of domestic policy, it is clear from the history of the Clayton-Bulwer and of the Hay-Pauncefote treaties and from the testimony of those who assisted in their negotiation that the United States made no attempt to reserve to itself the right to give preferential treatment to its own merchant vessels. The privileges acquired by the United States under the Hay-Pauncefote Treaty involved certain concessions on the part of Great Britain, for which she ex-

acted the observance of the principle of equality of treatment. It would be a reflection on our country's reputation for fair dealing if, after securing the abrogation of the Clayton-Bulwer Treaty, we were to repudiate the concessions, the making of which rendered possible the ratification of the Hay-Pauncefote Treaty.

It is fortunate for the world's peace that there is rapidly developing a body of international opinion to which the policy and conduct of individual nations must conform. Violations of the standards set by this opinion place the offending nations under the ban of international disapproval. With each year the commercial and social relations between nations are becoming closer. This increasing interdependence means that national policy must be made subservient to international right and to international obligation. No nation is a law unto itself, and it is evident that even our concept of national sovereignty must be subjected to revision in order to conform more closely to those larger principles of international reciprocity and fair dealing, upon which the maintenance of western civilization so largely depends. Just as competition has gradually given way to coöperation in the industrial world, so in international affairs the concerted action of states and the idea of mutual obligation as between states are gradually taking the place of the more primitive principle that every nation may formulate its national policy on the basis of national interests regardless of the higher standards of conduct now prevailing in the society of states.

Fortunately, for the good name of the United States, the President has courageously taken a position which has not only aroused the admiration of the civilized world but has placed our country under a debt of obligation. In his address of March 5, 1914, to the Congress of the United States he sounded a note which served to impress upon the nation the sacredness of treaty obligations. Speaking of the Hay-Pauncefote Treaty he said:

"We consented to the treaty; its language we accepted, if we did not originate it; and we are too big, too powerful, too self-respecting a nation to interpret with a too-strained or refined reading the words of our own promises just because we have power enough to give us leave to read them as we please. The large thing to do is the only thing we can afford to do, a voluntary withdrawal from a position everywhere questioned and mis-

understood. We ought to reverse our action without raising the question whether we were right or wrong and so once more deserve our reputation for generosity and for the redemption of every obligation without quibble or hesitation."

The magnitude of the President's service goes far beyond the vindication of the Hay-Pauncefote Treaty. These words and the determination which lies back of them place the international relations of the United States on a distinctly higher plane, and, if properly supported by the united opinion of the country, will do much toward regaining for the United States the enviable position which we once occupied. All secondary and party interests must be made to bow before that higher standard of international dealing which the President so vigorously champions.

A third influence which has played an important part in arousing opposition to the United States has been the tendency to permit new doctrines of American foreign policy to masquerade under the cloak of the Monroe Doctrine. In the adjustment of our relations with Mexico, with the islands of the West Indies, and with the countries of Central America, we have fallen into the error of endeavoring to build up our relations on the basis of the negative principles formulated in 1823. Instead of clearly and definitely facing the fact that these sections of the American continent occupy an exceptional relation toward the United States, and building up our policy on the basis of this exceptional relationship, we have formulated vague principles purporting to be based on the Monroe Doctrine which have aroused the suspicion, the distrust, and even the hostility of the most progressive countries of South America. We should clearly and definitely recognize the fact that everything that affects the progress, the stability and the well-being of the islands of the West Indies, of Mexico and of Central America, is a matter of immediate and direct concern to the United States. It is a concern different in kind from that which affects our relations with the countries of South America. The acquisition of Porto Rico and our exceptional relations with Cuba, have made of the United States a West Indian power. The construction of the Panama Canal and the acquisition of the Canal Zone have made of the United States a Central-American power, and finally, the fact that Mexico is our

neighbor, that large bodies of American citizens have taken up residence there, and that vast American interests amounting to over a billion dollars, are invested in Mexican enterprises—all these factors indicate the necessity of developing a policy toward these three sections of the American continent based on the positive national interests involved rather than on the negative principles of the Monroe Doctrine. We should frankly proclaim to the world that basic national interests demand that these sections of the American continent shall not only remain free from European complications, but that the primary requisites for the preservation of civilization shall be maintained. Continued disorder, the disregard of fundamental human rights, the undermining of respect for property—all these constitute elements which vitally affect the well-being and safety of the United States. This does not mean either the extension of a protectorate or an unwarranted interference with the domestic affairs of these countries, but it does mean that the United States cannot remain indifferent to the existence of conditions which menace the fundamentals of civilization.

The positive principles of foreign policy which this exceptional situation demands, rest in part on the fact that the sections of the American continent above referred to have become important sources of the food supply of the American people, and that the possibility of reducing the cost of living of the American workingman depends in large measure on the uninterrupted use of these sources of supply.

This does not mean that the United States should pursue a selfish or ruthless policy in dealing with these countries. On the contrary, the permanent interests of the United States are best subserved by prosperous, independent, self-respecting and progressive neighbors. Our policy toward them should be conceived in the most elevated spirit of helpful coöperation, but the basis of this coöperation should be and must be the maintenance of the fundamental requisites of civilization.

The Monroe Doctrine was formulated to accomplish two specific purposes:

1st. To prevent further European colonization on the American continent, and

2d. To prevent the extension of the European political system to the United States, the overthrow of the domestic institutions of an American state by European influence, or the control of the political destinies of an American state by any European power.

These two leading principles, which were of an essentially negative character are still vital principles of the foreign policy of the United States, in the maintenance of which every state of the American continent is deeply interested. The cordiality of our relations with the countries of South America demands that the Monroe Doctrine be limited to its original content. If this is done, there need be no fear of wounding the sensibilities or arousing the opposition of the countries of South America.

When, therefore, in our relations with the islands of the West Indies, with Central America or with Mexico, it becomes necessary to go beyond the negative principles of the Monroe Doctrine, and enforce positive principles of foreign policy, let us take such a step fully cognizant of the fact that we are not acting under any supposed principles of the Monroe Doctrine, but on the basis of a policy dictated by the requirements of the special conditions in the Mediterranean section of the American continent. Special agreements looking toward coöperation for the maintenance of stability, such as the reorganization of the San Domingan finances, do not rest on any principle of the Monroe Doctrine, but are dictated by the exceptional relationship above referred to.

Our Mexican policy is another of the influences that has reacted unfavorably upon the international position of the United States. No one will doubt for a moment the lofty ideals which have actuated the President in the formulation of his policy, but it is also clear that in spite of all protestations to the contrary our Mexican policy has aroused a marked feeling of opposition amongst the peoples of Central and South America, and has served to foster secret understandings between European governments for the purpose of protecting what they regard as their national rights and the rights of their citizens. We must always bear in mind that whatever may be our personal views with reference to the Monroe Doctrine it has always been regarded by the European countries as an expression

of the intention of the United States to reserve the countries of the American continent as a special field for its commercial and industrial influence.

The unwillingness of the United States to allow European governments to intervene in Mexico for the protection of the interests of their citizens and subjects, combined with the reluctance of the United States to accept the full responsibilities which this position involves, has served to accentuate the feeling of opposition to the United States which has been growing so rapidly within recent years.

Furthermore, the attempt on the part of the President to deal with the Mexican situation as if it were part of a general Latin-American problem instead of facing it squarely as a problem *sui generis*, involving an exceptional relationship between neighboring countries, has aroused the bitter opposition of the countries of Central and South America. The insistence of the United States on the retirement of a provisional President is looked upon as a form of unwarranted dictation, and as an indication of a settled purpose on the part of the United States to assert a kind of political supervision over the republics of the American continent.

In conclusion, I desire to refer to a recent occurrence which has given rise to serious misgivings both in Europe and in the countries of Central and South America. In an address delivered before the Southern Commercial Congress, the President of the United States announced a new principle of American foreign policy, the purpose of which seems to be the gradual financial emancipation of the countries of Central and South America from their present dependence on European capital. In the course of this address, the President attacked

"the material interests that had influenced the foreign policy of certain Governments in their relations with the nations of Latin-America."

He declared it to be the duty of the United States,

"to assist the nations of this hemisphere in their emancipation from the material interests of other nations, so that they might enjoy constitutional liberty unrestrained." "You hear," he said, "of concessions to foreign capital in Latin-America . . . States that are obliged to grant concessions are in the position that foreign interests are apt to dominate their affairs. Such a state of things is apt to become intolerable. It is emancipation from this inevitable subordination that we deem it our duty to assist."

It is true that the President restricted himself to a declaration against "concessions," and it would seem that to his mind this term involves the idea of special privilege or monopoly. The nearest English equivalent of the Spanish word "*concesión*" is our own legal term "franchise." It is true that in many of the countries of Central and South America such franchises include the grant of monopolistic privileges. It is also true that under the cloak of such franchises many abuses have been committed, but we must bear in mind that the unsettled political conditions prevailing in many of these countries and the exceptional risks to which foreign capital is subjected, have made it necessary to offer exceptional inducements in order to attract foreign investors. If we stop to reflect on the extraordinary inducements which were offered to foreign capital during the early history of the United States, and on the great service which such capital rendered to our national development, we can readily see that any policy, the effect of which is to discourage foreign investments in Central and South America, cannot help but retard the development of those sections of the continent. We may deplore the fact that in many of the republics of the American continent there has been a wasteful and at times a corrupt distribution of franchises and special privileges, but it is a serious question whether it is either our duty or our right to undertake to determine or even to suggest the standards or conditions to which the investment of foreign capital should conform.

At all events, let us not close our eyes to the fact that the formulation of this policy has aroused serious misgivings throughout the countries of the American continent, as it is looked upon as an unwarranted assumption of control over their liberty of action. In Europe the President's pronouncement is regarded as confirmatory of a suspicion, which has been growing within recent years, namely that the United States has embarked upon a national policy, the purpose of which is to reserve the less advanced countries of the American continent for the economic exploitation of American capital.

Whatever the ultimate judgment on the appropriateness of the principles or the wisdom of the policy formulated in the President's Mobile speech, it should be made clear that this new orientation of

our foreign policy is not a part of the Monroe Doctrine, and has no organic relation to the fundamental principle upon which the Monroe Doctrine rests, namely, national safety and self-protection. It is a new and strange principle which has aroused the opposition of the countries for whose benefit it is intended, and has engendered bitterness of feeling amongst European peoples. If it is to be maintained it must justify itself by basic reasons of national interests and international obligation entirely independent of the Monroe Doctrine.

These, in brief, are the more important influences that have aroused the opposition of many sections of the American continent and the animosity of Europe, and have placed the United States in a position of international isolation. It would be idle to argue that we have been the victim of circumstances because, as we have seen, the position in which the United States finds herself at the present time is traceable to the fact that our national thought and national consciousness have not kept pace with our international responsibilities. The most serious aspect of this condition of isolation is that it prevents us from fulfilling the high mission in international affairs which, by reason of our exceptional geographical position, by reason of our exceptional relationship to European as well as to American affairs, we are manifestly called upon to perform. The words spoken by Mr. Root at the Fourth Pan-American Conference at Rio Janeiro set the standards which should ever remain before the American people:

“We wish for no victories but those of peace; for no territory except our own; for no sovereignty except the sovereignty over ourselves. We deem the independence and equal rights of the smallest and weakest member of the family of nations entitled to as much respect as those of the greatest empire, and we deem the observance of that respect the chief guaranty of the weak against the oppression of the strong. We neither claim nor desire any rights, or privileges, or powers that we do not freely concede to every American Republic. We wish to increase our prosperity, to expand our trade, to grow in wealth, in wisdom and in spirit, but our conception of the true way to accomplish this is not to pull down others and profit by their ruin, but to help all friends to a common prosperity and a common growth, that we may all become greater and stronger together.”